

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 494 OF 2022

LATE DURGADAS GOVIND GHASIAS
(DEC.) THR. LRS AND 7 ORS

... Petitioners.

Versus

MAZANIA OF TEMPLE OF SHRI
NAVDURGA OF MADKAI THR. ITS
ATTORNEY ULHAS @ SANTOSH B.
KAMAT AND 3 ORS

... Respondents.

Mr Akhil Parrikar, and Mr Vivek A. Dandekar, Advocates
for the Petitioners.

Mr Shivan Desai, Advocate *for the Respondents.*

CORAM : M. S. SONAK, J.

DATE : 13th APRIL 2023

P.C. :

- 1.** Mr Akhil Parrikar for the Petitioners and Mr Shivan Desai for Respondents No.1 and 2, who are the contesting parties, hand in consent terms, which are taken on record and marked as “X” for identification.
- 2.** The learned Counsel for the parties state that these consent terms were possible on account of mediation by Shri V.R. Tamba, Advocate of this Court.

3. At the request of the learned Counsel for the Petitioners, leave is granted to amend the cause title in so far as Petitioner No.2 is concerned. The necessary amendment to be carried out forthwith.
4. The learned Counsel for the parties state that Respondents No.3 and 4 were formal parties and these consent terms do not, in any manner, affect the rights of Respondents No.3 and 4.
5. The consent terms not only settle the immediate disputes in this Petition, but the parties have agreed to get all pending litigations *inter se* in any court/tribunal disposed of, based on these terms by a mere production of these terms. Accordingly, if the Petitioners and Respondents No.1 and 2 produce these terms before any court/tribunal, then, their *inter se* disputes can be disposed of by such a court/tribunal.
6. Mr Parrikar, learned Counsel for the Petitioners states that all the Petitioners have signed these terms in presence of Mr Parag Rao, his Senior. The consent terms are also signed by the Attorney and the President of Navdurga Saunthan, Madkai. The Attorney and Secretary of Respondent No.1-Saunthan are present in the Court and they confirm this position. They say that these terms are signed by the Attorney and President, after understanding their scope and import.

7. Upon perusing the terms, I am satisfied that they are not opposed to public policy. It is evident that the Mediator Shri Tamba has mediated exemplarily and brought about the settlement of disputes between the parties.

8. Similarly, this Court expresses its gratitude to Shri Tamba for this successful mediation. Mr Desai states that he will furnish an authenticated copy of this order to Shri Tamba.

9. The statements made on behalf of the Petitioners and Respondents No.1 and 2 are also accepted as statements made to this Court. The Petitioners and Respondents No.1 and 2 will have to comply with these consent terms.

10. The Petition is disposed of based on the consent terms arrived at in the course of the mediation proceedings.

11. All concerned to act based on an authenticated copy of this order, along with the consent terms which shall be regarded as an integral part of the Court's order.

12. There shall be no order for costs.

M. S. SONAK, J.

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